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(THU) 10/26/05 11:16 ST. 11:16 NO. 4260454763 P 1

**WHITE & CASE**  
LIMITED LIABILITY PARTNERSHIP

1155 AVENUE OF THE AMERICAS  
NEW YORK, NEW YORK 10036-2787  
TELEPHONE: (1-212) 819-8200  
FACSIMILE: (1-212) 354-8113

DIRECT DIAL: 212-819-8832  
E-MAIL: [jgenova@whitecase.com](mailto:jgenova@whitecase.com)

ALMATY  
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**FACSIMILE TRANSMISSION**

**Date:** 20 October 2005

**No. of Pages (including cover):** 12

**To:** Nadine Clark  
USPTO

**Fax Number:** 703-308-5083  
Contact Number

**From:** John M. Genova

**Reference No.:** 1103326-0631

**Re:** U.S. Patent Appln. Serial No. 09/600,661  
Our File: 1103326-0631

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**PLEASE NOTE:** The information contained in this facsimile message is privileged and confidential, and is intended only for the use of the individual named above and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, or if any problems occur with transmission, please contact sender or call (212) 819-7583. Thank you

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Dear Nadine:

Thank you again for your telephone call of today's date in connection with the referenced application. I confirm that a RCE was filed, by mail, March 8, 2005. However, it was subsequently noticed that, by inadvertent clerical error, the RCE transmittal provided the incorrect application serial number. Accordingly, the RCE was re-submitted on March 15, 2005 with the correct serial number. For your convenience, I am faxing you a complete copy of the re-submission of March 15, 2005 which includes a copy of the RCE. Please refer to the paper entitled "Resubmission of RCE and IDS" for a more detailed explanation.

If you need to further discuss the matter, please call my colleague Richard Stern who is the agent handling this application. His direct dial is 212-819-8783.

Respectfully submitted,



John M. Genova  
Reg. No. 32,224

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WILHELM & CANNON, LLP  
PATENT ATTORNEYS

MAR 17 2005

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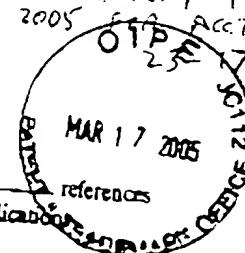
Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

3) COPY OF PTC DEPOSIT ACCT. STATEMENT FOR  
Kindly acknowledge receipt of the accompanying: MARCH 2005 FPA ACCT. NO.  
Date 03/15/05  
Atty. Docket 1103326-063+  
Serial No. 09/1600,662

Maintenance Fee Transmittal and check for \$ \_\_\_\_\_  
 Response to Official Action \_\_\_\_\_  
 Check for \$ \_\_\_\_\_ (claims fee)  
 Petition under 37 CFR 1.136 and Check for \$ \_\_\_\_\_  
 Notice of Appeal and Check for \$ \_\_\_\_\_  
 Information Disclosure Statement, PTO - 1449 and \_\_\_\_\_  
 Claim priority and certified copies of \_\_\_\_\_ priority application \_\_\_\_\_  
 Issue fee transmittal and Check for \$ \_\_\_\_\_  
 Other (specify) 1) LETTER OF RESUBMISSION OF RCE & IDS  
2) COPIES OF RCE, IDS AND FIVE (5) REFERENCES ORIGINALLY X  
by placing your receiving date stamp hereon and mailing or returning to deliverer.

Atty. K. STERNER Due Date 1/1/  
37 CFR 1.8   
37 CFR 1.10   
By Hand



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1103326-0631

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Linschoten et al.  
Serial No. : 09/600,661  
Filed : July 20, 2000  
For : PYRIDINE MERCAPTO CARBOXYLIC ACIDS  
AS CARBOXYPEPTIDASE U INHIBITORS  
Examiner : T. McKenzie  
Group Art Unit : 1624

Certificate of Mailing Under 37 C.F.R. § 1.8	
I hereby certify that this paper is being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
Richard J. Sperner Agent Name <i>Richard J. Sperner</i> Signature	35,372 PTO Reg. No. March 15, 2005 Date of Signature

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESUBMISSION OF RCE AND IDS

Sir:

On March 8, 2005, Applicants submitted a Request for  
Continued Examination and an Information Disclosure Statement,  
including copies of the cited references. This submission was  
made prior to the March 14, 2005 deadline for payment of the

issue fee, and the issue fee was not paid in light of the expectation that the application would be withdrawn from issue by the PTO upon receipt of the RCE.

However, it has just come to the attention of the undersigned that although the IDS and return receipt postcard provided the proper application Serial No. of 09/600,661, the RCE transmittal form provided the erroneous application Serial No. of 09/600,611. A subsequent check of the PAIR system revealed that the March 8, 2005 submission had been matched up (on March 11<sup>th</sup>) with the erroneously identified application, one that in fact issued as a patent more than two years ago.

Accordingly, Applicants are hereby submitting copies of the RCE transmittal (with hand-corrected application serial no.) and IDS (including the cited references) originally submitted on March 8, 2005. These materials should be matched up with the file for the intended application, i.e., Serial No. 09/600,661.

It is clear from all other identifying information (including the information on the RCE transmittal) provided with the previous submission, e.g., filing date, inventor and application title, that it was Applicants' intent to timely file an RCE in application Serial No. 09/600,661. Applicants' bona fide effort to reopen prosecution of the application prior to payment of the issue fee should not be prejudiced by the single

inadvertent error in the RCE transmittal submitted March 8, 2005.

The \$790 RCE fee has already been charged to Applicants' Deposit Account and should not be charged again. Provided herewith is a copy of the relevant page from the PTO Deposit Account Statement for March 2005 for Applicants' Deposit Account, No. 23-1703, showing the charging of the fee on March 15, 2005 to Applicants' Deposit Account but in connection with the application having the incorrect Serial No. of 09/600,611. Should any other fee be due, however, in connection with this communication, the Commissioner is hereby authorized to charge it to Deposit Account No. 23-1703.

Dated: March 15, 2005

Respectfully submitted,

  
Richard J. Sternner  
Reg. No. 35,372

Customer No. 007470  
(212) 819-8200

Agent's Direct Line:  
(212) 819-8783

Enclosures

1103326-0631

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Linschoten et al.  
Serial No. : 09/600,661  
Filed : July 20, 2000  
For : PYRIDINE MERCAPTO CARBOXYLIC ACIDS  
AS CARBOXYPEPTIDASE U INHIBITORS  
Examiner : T. McKenzie  
Group Art Unit : 1624

<p style="text-align: center;">Certificate of Mailing Under 37 C.F.R. § 1.8</p> <p>I hereby certify that this paper is being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450</p>	
<p><u>Richard J. Sterner</u> Agent Name <i>Richard J. Sterner</i> Signature</p>	<p><u>35,372</u> PTO Reg. No. <u>March 8, 2005</u> Date of Signature</p>

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sister

Applicants are submitting concurrently herewith a Request for Continued Examination. This Information Disclosure Statement serves as the submission required with the request.

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In compliance with 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the five (5) references listed on the attached Form PTO/SB/08A be made of record in this application. Copies of the references are enclosed.

These references were made of record during prosecution of the counterpart application in Turkey. Document RU 2055834 is in the Russian language. It is being listed and provided herewith because that is the form in which it was cited in the Turkish application. However, Applicants also provide herewith a copy of EP 0470686, which belongs to the same patent family as the Russian patent document and is in English.

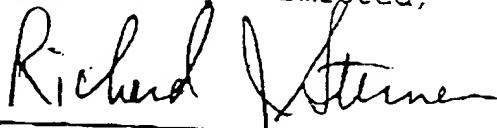
In accordance with 37 C.F.R. §§1.97(g) and (h), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made by Applicants or that the information is material to patentability as defined in 37 C.F.R. §1.56(b).

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The Commissioner is hereby authorized to charge any fees which may be due for any reason in connection with this communication to Deposit Account No. 23-1703.

Dated: March 8, 2005

Respectfully submitted,

  
Richard J. Stern  
Reg. No. 35,372

Customer No. 007470  
(212) 819-8200

Agent's Direct Line:  
(212) 819-8783

Enclosures

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Page 1 of 1

Page 1 of 1  
PTO/SB/08A (08-03)

PTO/SB/08A (08-03)  
Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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Substitute for form 1419/PT/1

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet \_\_\_\_\_ of \_\_\_\_\_ (Use as many sheets as necessary)

1

<i>Complete if Known</i>	
Application Number	09/600,661
Filing Date	July 20, 2000
First Named Inventor	Linschoten et al.
Art Unit	1624
Examiner Name	T. McKenzie
Attorney Docket Number	1103326-0631

U.S. PATENT DOCUMENTS

U.S. PATENT DOCUMENTS					
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages/Figures Appear

## FOREIGN PATENT DOCUMENTS

## NON PATENT LITERATURE DOCUMENTS

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
		2HU et al, "Isolation and characterization of americanin, a specific inhibitor of thrombin, from the salivary glands of the lone star tick <i>Amblyomma americanum</i> (L.)", <i>Exp. Parasitol.</i> 87, 30-38 (1997) (abstract only).
Examiner Signature		Date Considered

**Date Considered**  
 EXAMINER: Initial if reference is made of, whether or not claim is in conformance with MPEP 609. Draw line through claim if not in conformance and not considered. Include copy of this form with each communication to applicant. 'Applicant's' unique claim designation number (optional). See Kind Codes of USPTO Patent Documents at [PTO.USPTO.GOV](http://PTO.USPTO.GOV) or MPEP 50.104. The Office that issued the document by the two-letter code (WPO for Standard ST.1). For claims patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 'Kind of document' by two appropriate symbols as indicated on the document under WPO Standard ST.10 if possible. 'Applicant' is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.57 and 1.78. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to consume 2 hours to complete including gathering, preparing and submitting the completed application to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22314-1450. DO NOT SEND FEES OR (2) (1) INFORMATION VIA THIS FORM.

ADDRESS: SEND TO: Commissioner for Patents, P.O. Box 1650, Alexandria, VA 22313-1650. DO NOT SEND FEES OR COMPLETED FORM TO THIS ADDRESS.

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PTO/SB/30 (08-04)

Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Request  
for  
Continued Examination (RCE)  
Transmittal**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/600,611 <i>6</i>
Filing Date	July 20, 2000
First Named Inventor	Linschoten
Art Unit	1624
Examiner Name	T. McKenzie
Attorney Docket Number	1103326-0631

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- Other \_\_\_\_\_

b.  Enclosed

- Amendment/Reply
- Affidavit(s)/Declaration(s)

iii.  Information Disclosure Statement (IDS)

iv.  Other copies of five (5) references

2. **Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b.  Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 23-1703. I have enclosed a duplicate copy of this sheet.

- RCE fee required under 37 CFR 1.17(e)
- Extension of time fee (37 CFR 1.138 and 1.17)
- Other \_\_\_\_\_

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</b>	
Signature	<i>Richard J. Sterner</i>
Name (Print/Type)	RICHARD J. STERNER
Date	March 8, 2005
Registration No.	35,372

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Richard J. Sterner</i>
Name (Print/Type)	RICHARD J. STERNER
Date	March 8, 2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



United States  
Patent and  
Trademark Office



Deposit Account Statement

Requested Statement Month: March 2005  
 Deposit Account Number: 231703  
 Name: WHITE & CASE  
 Attention: PATENT DEPARTMENT  
 Address: 1155 AVE OF THE AMERICAS  
 City: NEW YORK  
 State: NY  
 Zip: 10036-2787

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
03/01	1	10742644	1601457-0005	1806	\$180.00	\$28,221.56
03/01	2	10742644	1601457-0005	1253	\$1,020.00	\$27,201.56
03/01	167	11060138	1103326-0790	8021	\$40.00	\$27,161.56
03/03	212	5948789		8021	\$40.00	\$27,121.56
03/03	259	09895904	2000P 14659	1501	\$70.00	\$27,051.56
03/03	261	09895904	2000P 14659	8001	\$12.00	\$27,039.56
03/03	314	11016543	1103326-0655 (CON2)	1011	\$300.00	\$26,739.56
03/03	315	11016543	1103326-0655 (CON2)	1051	\$130.00	\$26,609.56
03/03	316	11016543	1103326-0655 (CON2)	1111	\$500.00	\$26,109.56
03/03	317	11016543	1103326-0655 (CON2)	1311	\$200.00	\$25,909.56
03/04	11	PAYMENT		9203	-\$12,970.00	\$38,879.56
03/08	84	E-REPLENISHMENT		9203	-\$30.00	\$38,909.56
03/09	5	10148818	1103326-0689	1251	\$120.00	\$38,789.56
03/10	2	10014705	1133278-0014	2253	\$475.00	\$38,314.56
03/10	5	09381055	1103326-0590	1252	\$450.00	\$37,864.56
03/10	86	09912128	2000 P 14920	1801	\$790.00	\$37,074.56
03/10	87	09912128	2000 P 14920	1252	\$450.00	\$36,624.56
03/10	88	09912128	2000 P 14920	1806	\$180.00	\$36,444.56
03/11	24	10742644	1601457-0005	1806	\$180.00	\$36,264.56
03/14	5	10509268	1103326-0779	1615	\$1,224.00	\$35,040.56
03/14	7	10012793	13359A	1202	\$650.00	\$34,390.56
03/14	8	10012793	13359A	1201	\$200.00	\$34,190.56
03/14	8	10136998	1104628-0002	1253	\$1,020.00	\$33,170.56
03/15	15	10669131	1103326-0573	1253	\$1,020.00	\$32,150.56
03/15	16	09600611	30598	1801	\$790.00	\$31,360.56

Y should be 09/600,641

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$28,401.56	\$10,041.00	\$13,000.00	\$31,360.56

<p style="text-align: center;"><b>Honorable Commissioner of Patents and Trademarks</b></p> <p style="text-align: center;"><b>Washington, D.C. 20591</b></p> <p style="text-align: center;">Sir:</p> <p>Kindly acknowledge receipt of the accompanying <b>Maintainance Fee Transmittal and check for \$ 5</b> for <b>ACCI</b> <b>Response to Official Action.</b></p> <p><b>Check for \$ 5</b> <b>(claims fee)</b></p> <p><b>Petition under 37 CFR 1.136 and Check for \$</b></p> <p><b>Notice of Appeal and Check for \$</b></p> <p><b>Information Disclosure Statement, PTO - 1449 and</b></p> <p><b>Claim priority and certified copies of</b> <b>priority applications</b></p> <p><b>Issue fee transmittal and Check for \$</b></p> <p><b>Other (specify) 1) LETTER OR RESUBMISSION OF RCE &amp; 105. 2) COPIES OF RCE, 105 AND FIVE (5) REFERENCES ORIGINALLY by placing your receiving date stamp hereon and mailing or returning to deliverer.</b></p> <p><b>Attn: R. STEINER</b></p> <p><b>Due Date</b> <b>/ /</b></p>	<p><b>Date</b> <b>03/15/05</b></p> <p><b>Serial No.</b> <b>891600,661</b></p> <p><b>Any Docket</b> <b>1103326-06</b></p> <p><b>3) COPY OF PTO DEPOSIT ACCR. STATEMENT F MAILED MARCH 2005 FOR ACCI</b></p> <p><b>23-17</b></p>
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